

REMARKS

Claim 14 is amended above to add the word --removable -- before "ride plate". Applicant respectfully submits that this amendment is fully supported by the original disclosure, including the original claims. Applicant also respectfully submits that no new matter is introduced by the amendment.

Claims 1-14 have been placed under a restriction requirement under MPEP 803 and 35 U.S.C. 121 in the above-identified Office Action.

SUMMARY OF THE EXAMINER'S POSITION

Specifically, the Examiner has identified the following inventions:

- I. The invention of claims 1-10, drawn to a plate positioning mechanism for a personal watercraft; and
- II. The invention of claims 11-14, drawn to a method of aligning a ride plate with a stern of a personal watercraft.

It is the Examiner's position that while the inventions are related, the method can be practiced by another and materially different process such as one which does not require a removable ride plate for defining a bottom portion of a stern of a craft body.

The Examiner has required restriction to one of the identified inventions for examination.

DISCUSSION

Applicant respectfully traverses the restriction requirement in the above-identified Office Action, and requests reconsideration and withdrawal thereof. Applicant respectfully suggests that the related method and apparatus are all drawn to aspects of a single inventive concept within the meaning of 37 C.F.R. 1.141(b), and should not be subject to restriction. This is especially clear in light of the above amendment to claim 14.

Even if the Examiner remains convinced that the two inventions are not drawn to aspects of a single inventive concept, applicant respectfully suggests that all of the depicted species are drawn to closely associated inventions, as reflected by the similar language of the limitations in the two groups of claims.

Moreover, applicant respectfully points out that MPEP section 803 states that

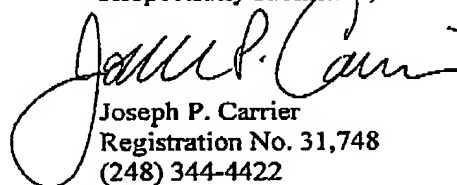
"if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

Applicant respectfully suggests that the examination of the entire application would not place a serious burden on the Examiner. Applicant therefore respectfully respects reconsideration and withdrawal of the restriction requirement.

However, notwithstanding the above, and in order to comply with Patent Office requirements, applicant elects, with traverse, the group identified by the Examiner as Invention I, encompassing claims 1-10.

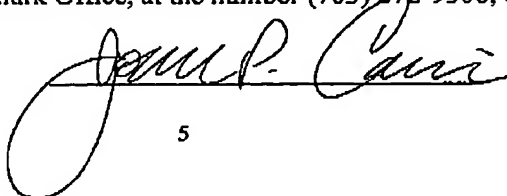
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to Group Art Unit 3726 at the U.S. Patent and Trademark Office, at the number (703) 872-9306, on March 22, 2005.


5